

GLASTONBURY ZONING REGULATIONS

SECTION 1

ZONES AND ZONE BOUNDARIES

1.0 Zones

These Regulations are adopted under authority of Chapter 124 of the 1958 Revision to the General Statutes for the purpose of promoting the health, safety, morals and general welfare of the community, of lessening congestion in the streets; or providing adequate light and air; of preventing the over-crowding of land and avoiding undue concentration of population; of facilitating adequate provision of transportation, water, sewage, schools, parks and other public requirements; of conserving the value of buildings and encouraging the most appropriate use of the land throughout the Town in accordance with the Town Plan of Development and with reasonable consideration for the character of the area and its peculiar suitability for particular uses; and to this end the Zoning Regulations of the Town of Glastonbury are hereby restate to read, with the inclusion of the foregoing, as follows:

1.1 Classes of Zones

The Town of Glastonbury is divided into 12 classes of zones:

Country Residence	CR	Reserved Lands	RL
Rural Residence	RR	Flood	F
Residence AAA	AAA	Planned Area Development	PAD
Residence AA	AA	Central District	CD
Residence A	A	Planned Employment	PE
Planned Business & Development	PBD	Planned Commerce	PC
Planned Travel	PT	Village Commercial (VC) Zone	VC
Planned Industrial	PI	Village Residential (VR) Zone	VR

As shown or to be shown on a map entitled "Building Zone Map of Glastonbury, Connecticut, June 25, 1956," as amended, which accompanies these Regulations and, as now or hereafter duly amended, is declared to be part hereof. The original map is filed in the Office of the Town Clerk.

1.2 Zone Boundaries

The boundaries of these zones are hereby established as shown on the Building Zone Map referred to in the previous section. Unless otherwise indicated, the zone boundaries are either center lines of streets, property lines, contour lines, water ways, or lines drawn parallel to one or more of such lines.

In cases of uncertainty, the Town Plan and Zoning Commission shall determine the location of the boundary.

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SECTION 2

DEFINITIONS

For the purpose of these Regulations, certain terms or words will be defined as follows: words in the present tense include the future; words in the singular number include the plural; and vice versa. The word "person" includes a partnership or corporation.

2.1 Accessory Building

A subordinate building attached to or detached from the principal building located on the same lot and used for purposes customarily incidental and subordinate to the use of the principal building.

2.2 Accessory Use

A use of land or a portion of a structure or building customarily incidental and subordinate to the actual principal use of the land, structure or building and located on the same lot with such principal use, structure or building.

2.3 Agriculture

The cultivation of ground, including the harvesting of crops, rearing and management of livestock, tillage, husbandry, farming, horticulture and forestry.

2.4 Boarding, Rooming Or Lodging House

A dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which lodging and meals are offered or provided for compensation to two or more persons up to a maximum of six persons by pre-arrangement for definite periods of time. A boarding, rooming or lodging house is to be distinguished from a hotel, motel, tourist home and supervised group quarters.

2.5 Building

Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals, properties or materials. Any other structure more than eight (8) feet high shall be considered to be a building, including a fence or wall but excluding a public utility pole or flagpole.

2.6 Building Heights

The vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. AMENDED EFFECTIVE MARCH 26, 1984.

2.7 Building Line

A line parallel to a street at a distance from the street line equal to the required front yard or at a greater distance if otherwise established by the Town Plan and Zoning Commission as part of an approved subdivision.

2.8 Club

Premises owned and operated by a corporation or association of persons for social, civic, recreational, religious or fraternal purposes, but not operated primarily for profit or to render a service, which is customarily carried on as a business.

2.9 Convalescent, Nursing Or Rest Home

A building or portion thereof for the lodging, care and treatment of five (5) or more persons. Such home does not contain equipment for surgical care or the treatment of injury and shall comply with any State requirements applicable to such homes.

2.10 Court

An open unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

2.11 Dwelling

Any building or portion thereof which is designed or used exclusively for residential purposes, by human occupants, and containing one or more dwelling units.

2.12 Dwelling, Single-Family

A dwelling used or designed exclusively for one dwelling unit; or a dwelling used or designed for two dwelling units provided a special permit has been granted for such additional dwelling unit pursuant to Section 6.11 Special Regulations. Effective October 14, 1983.

2.13 Dwelling, Two-Family

A dwelling having two dwelling units.

2.14 Dwelling Multiple

A dwelling having three or more dwelling units.

2.15 Dwelling Unit

One room or a suite of two or more rooms designed for or occupied by one family for living and sleeping purposes and having only one kitchen or kitchenette.

2.16 Family

One person, or group of two or more persons related by blood, marriage, legal adoption or legal guardianship, or a group of not more than six (6) persons who need not be so related, living and cooking together in the same dwelling unit as a single housekeeping unit. The persons constituting a family may also include up to six (6) foster children when a married couple permanently reside in the same dwelling unit as foster parents and gratuitous guests and domestic servants. A roomer, boarder, lodger or occupant of supervised group quarters, regardless of relationship or ownership, shall not be considered a member of a family.

2.17 Farm

A tract of land containing five (5) acres or more, used wholly or in part for agricultural purposes, but excluding commercial greenhouses and commercial nurseries (involving the retail sale of flowers, shrubs, trees and other plants from buildings or structures on the premises, rather than exclusively from the ground) and commercial pig farms. A farm may include a dwelling unit and premises used for the keeping of livestock, poultry and other domestic animals when permitted by these Regulations.

2.18 Garage, Parking

An accessory building used for the storage of vehicles for the use of occupants of the lot on which such building is located.

2.19 Grade

A reference plane representing the average of finished ground level adjoining the building at all exterior walls. Effective March 26, 1984.

2.20 Guest House

A residential accessory building located on the same lot as the principal building and used to house only domestics, or gratuitous guests of the family occupying the principal dwelling on the lot.

2.21 Historic And Monument Sites

Those premises set aside primarily to commemorate a historical event, activity or person.

2.22 Home Occupation

A use, not otherwise permitted in the zone, which is customarily and may properly be conducted for compensation as an accessory use on a residential lot (See Section 7).

2.23 Hotel - Inn - Motel

A building or buildings designed and used primarily for temporary occupancy by transients, which provides or offers accommodations for a consideration for seven or more persons exclusive of proprietors and employees living on the premises. Rooms for public assembly and the serving of food may also be provided.

2.24 Livestock

Grazing animals.

2.25 Lot

A plot or parcel of land under separate ownership occupied or capable of being occupied by one principal building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by these Regulations. Except in residential zones, more than one principal building under the same ownership may be considered as occupying the same lot, if approved by the Town Plan and Zoning Commission as a part of special permit and design review powers.

2.26 Lot Area

The required lot area shall be deemed to be the product of multiplying the average width of a lot by a lot depth not greater than three times such width, regardless of the total depth of the lot.

2.27 Lot, Corner

A lot having two adjacent sides facing a street or streets so that the interior angle of the intersection is not more than 120 degrees.

2.28 Lot, Depth Of

The mean distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

2.29 Lot Frontage

The minimum lot frontage shall be the shortest distance obtainable by measuring from any point where the building line intersects a lot side line to the opposite side line.

2.30 Motor Vehicles, General Repair And Services

The business of repairing, overhauling, removing, adjusting or replacing parts of any motor vehicle and body repairing of any motor vehicle.

2.31 Motor Vehicle, Limited Repair And Service

The business of minor repairs to any motor vehicle such as repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing and repair and replacement of shock absorbers.

2.32 Motor Vehicle Or Gasoline Service Station

A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, aircraft of boats and including the customary space and facilities for the installation of such commodities on or in such vehicles.

2.33 Nonconforming Building

A building which does not conform to one or more of the applicable provisions of these Regulations, but which lawfully existed prior to the effective date of these Regulations or of any amendment hereof of change in zoning classification which created the nonconformity.

2.34 Nonconforming Use

A use of land, structure, building or premises which is not a use permitted by the provisions of these Regulations for the zone in which such land, structure, building or premises is situated, but which lawfully existed prior to the effective date of these Regulations or of any amendment hereof or change in zoning classification which created the nonconformity.

2.35 Open Space

An unoccupied space open to the sky and on the same lot as the building.

2.36 Parking Area, Private

Any area of land which is used as an accessory use for parking of motor vehicles for the occupants, tenants, visitors, employees or patrons of a use or uses and is located on the same lot as said use or uses.

2.37 Parking Lot, Public

Any tract of land, which is used as the principal use of the lot for the parking of motor vehicles.

2.38 Parks

Land and/or water primarily in its natural state except for manmade recreation facilities and dedicated and used for recreation, scenic, leisure, conservation, historic or ornamental purposes.

2.39 Principal Building

A building in which is conducted the principal use of the lot on which it is situated.

2.40 Street

A public highway or a proposed public highway shown upon a plan duly approved by the Town Plan and Zoning Commission in full accordance with the Glastonbury Subdivision and Resubdivision Regulations.

2.41 Structure

Anything constructed or erected which requires location on the ground, including signs, but not including fences or walls used as fences the maximum height of which is less than four (4) feet above the ground.

2.42 Supervised Group Quarters

A dwelling housing a group of persons during a period in which such persons are undertaking a program of vocational training, counseling, social rehabilitation or other similar programs, such as children's homes and group homes. Supervised group quarters shall not be considered a rooming house, boarding house or lodging house.

2.43 Tourist Home

A dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which overnight accommodations are offered or provided for compensation to two or more transient persons up to a maximum of six persons.

2.44 Trailer-Mobile Home

Any vehicle or similar portable structure which is or can be used for sleeping, living or working quarters and which is, has been, or can be mounted on wheels, whether or not resting upon a temporary or permanent foundation.

2.45 Trailer Camp

Any lot, parcel, subdivision or area of land which is used or permitted to be used for the parking of more than one occupied trailer (mobile home).

2.46 Use

The "use" of property is the purpose or activity for which the land or structure or building thereon is designed, arranged, intended, occupied or maintained, and shall include any manner of performance of such activity with respect to the standards and requirements of these Regulations.

2.47 Yard

An open space of generally uniform width or depth on the same lot with a building or group of buildings and the nearest lot line, and is unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided herein. In measuring a yard as hereinafter provided, the line of a building shall be deemed to mean a line parallel to the nearest lot line, drawn through the point of the building or the point of a group of buildings nearest to such lot line.

2.48 Yard, Front

A yard extending across the full width of the lot and lying between the front property line (street line) of the lot and the nearest line of the principal building.

2.49 Yard, Rear

A yard extending across the full width of the lot and lying between the rear property line of the lot and the nearest line of the principal building.

2.50 Yard, Side

A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot line, as the case may be.

2.51 Agricultural Group Quarters, Seasonal

Any trailer or mobile home used for living and sleeping by seasonal agricultural workers (migrant) and located on a farm where agricultural production is the principal means of livelihood as defined by Section 12-91 of the Connecticut General Statutes and recorded with the Town Assessor. EFFECTIVE JULY 1, 1983

2.52 Deck

An open exterior floor system supported on a least two (2) opposing sides by an adjoining structure and/or post, or piers. EFFECTIVE FEBRUARY 4, 1994.

SECTION 3 GENERAL REGULATIONS

3.1 Conflicting Regulations

When any provision of these Regulations imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other ordinance, statute or law, the provisions of these Regulations shall apply and govern.

3.2 Covenants Not Annulled

These Regulations are not intended to abrogate or annul any easement, covenant or other private agreement.

3.3 Permitted Uses

No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or structure or land be used, designed, or arranged for any purpose other than the uses permitted in the zone in which the building or structure or land is located, except as otherwise provided in Section 8 of these Regulations.

3.4 Permitted Area, Yards Or Lot Coverage

No building or structure shall be erected or enlarged except in conformity with the area, yards or lot coverage regulations of the zone in which the building or structure or land is located, except as otherwise provided in Section 3.10, Section 3.24 and Section 8 of these Regulations.

3.5 Permitted Height, Density Or Bulk

No building or structure shall be erected, enlarged, reconstructed, or structurally altered to exceed the height limit, density provisions or bulk provisions herein established for the zone in which the building or structure is located except that penthouses or roof structures for the housing of elevators, stairway tanks, ventilating fans, or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, domes, bulkheads, church steeples, spires, belfries, cupolas, storage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials, and wireless masts, water tanks, silos, or similar structures may be erected above the height limits herein prescribed, provided, however, that no such structure may be erected to exceed more than fifteen (15) feet the height limits of the greater than ten percent (10%) of the roof area of the building or structure on which it is located; nor shall such structure be used for other than an accessory use.

3.6 Lots, Yards, And Open Spaces

No space which for the purpose of a building, structure or dwelling group has been counted or calculated as part of a side yard, rear yard, front yard, court or other open space required by these Regulations may, by reason of change in ownership be counted or calculated to satisfy or comply with a yard, court, or other open space requirement of or for any other building, structure or dwelling group.

No lot on which a building or structure exists shall be reduced or diminished so that the required lot area, frontage, yards or open spaces are smaller than those required by these Regulations.

3.7 Usable Open Space

There shall be provided in all residential lots at a minimum such usable open space as is set forth in these Regulations for the zone in which said lot is located, which open space shall be used for landscaping and/or recreational purposes, and which may not be used for off-street parking or loading purposes. The area of the front, side or rear yards which is not used for driveways and parking or loading purposes may be computed in determining the required usable open space.

3.8 Projections IntoYards And Required Open Spaces

Architectural features such as pilasters, chimneys, belt courses, sills and cornices may extend or project into a required yard or open space not more than one (1) foot.

Residential decks not higher than three (3) feet above grade may extend into the required rear yard by not more than twelve (12) feet. EFFECTIVE FEBRUARY 4, 1994

Steps, walls not over four (4) feet high, and fences not over six (6) feet high may be erected in any required yard.

3.9 Courts

Courts enclosed on all sides shall not be permitted in any building used partly or wholly for residential purposes. Courts between wings or projections of buildings shall have a width between such wings or projections at least equal to the average height of the walls surrounding the court. In no case shall a court in a residential building have a depth greater than three times the width.

3.10 Substandard Lots

In all residential zones, any lot which was separately described in the latest deed of record immediately prior to (effective date of these Regulations), or which was an approved lot shown on a plan of development or subdivisions plan approved by the Town Plan and Zoning Commission and on file in the Glastonbury Town Clerk's office prior to said date, which does not meet the requirements of these Regulations as to lot area and/or lot frontage may be utilized for any use permitted in the zone in which such lot is located, provided that all of the other provisions and requirement so these Regulations are complied with as to such lot, and provided further that all applicable subdivision regulations of the Town of Glastonbury shall have been complied with as to such lot.

3.11 Lot Limitations

In all residential zones, only one principal structure shall be placed on a lot. In non-residential zones, the Town Plan and Zoning Commission may approve a plan for more than one principal structure on a lot, if the structures and land comply with all other requirements of the zone in which they are located.

3.12 Lot Frontage

Every principal residential structure shall be located on a lot which fronts upon a public street and complies with the frontage requirements of these Regulations unless such lot is an approved rear lot under Section 6.8 of these Regulations.

3.13 Floor Area

Specific floor area requirements for living quarters in residential dwellings are set forth in the Use Regulations (Section 4) for the particular zones. Living quarters may include customary rooms, halls and closets, but shall not include rooms for heating equipment, garages, open or closed outside vestibules, or porches or verandas. Stairways, basement spaces and public halls shall not be included in the required minimum floor areas for the living quarters. Only those portions of the building which are soundly and permanently constructed and finished with materials and methods conforming to the Building Code adopted by the Town of Glastonbury shall be included in the computations of the floor area for living quarters.

- a. Floor area for living quarters shall be computed from the outside of the exterior walls.

- b. Living quarters above the first floor shall have access by permanent built-in stairway. All living quarters, to qualify as living quarters, shall have a ceiling height of not less than 7 feet 6 inches on the first floor, and on the second floor 7 feet 4 inches over not less than one-third (1/3) of the area of the floor. On one and one-half (1 ½) story dwellings, there shall be at least a three-quarter (3/4) dormer or equivalent, except that if the first floor living area has 1250 square feet or more, the requirement for a three-quarter (3/4) dormer shall not apply. AMENDED EFFECTIVE November 15, 1975.
- c. For dwellings without cellar, the minimum floor area shall be increased by a separate room containing at least 120 square feet for heating, utility and storage space.
- d. For all dwellings with cellar, there shall be direct outside access from the cellar.

3.14 Dwellings In Other Than Principal Structure

No residential dwelling shall be permitted in any accessory building except an approved guest house.

3.15 Dwelling In Nonresidential Zones

Dwellings shall be erected only in the residential and planned are development zones. The sleeping quarters of a caretaker or watchman, however, may be permitted in the nonresidential zones.

3.16 Building Grades

Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building.

3.17 Restoration Of Unsafe Buildings

Nothing in these Regulations shall prevent the strengthening or restoring to a safe condition of any part of any building declared unsafe by the Building Official or where required by any lawful order.

3.18 Streets

All streets, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such streets. Where the center line of a street serves as a zone boundary, the zoning of such street, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

3.19 Visibility At Intersection

No wall, fence, structure, planting or obstruction to vision shall be erected, maintained, placed or planted on any lot which unreasonably or dangerously obstructs or interferes with visibility of drivers of vehicles on a curve or at any street intersection. The minimum vision clearance shall require a height not exceeding two (2) feet above the street grade within the triangular area formed by the intersecting street lines and a straight line connecting points on said street lines, each of which points is twenty-five (25) feet distance from the point of intersection.

3.20 Storage And Display Of Goods And Merchandise

In all zones, if any goods and/or merchandise are stored and/or displayed, such goods and/or merchandise shall be stored and/or displayed behind the established building line, except a permitted roadside stand which shall be located behind the established street line, or except as permitted by special exception granted by the Zoning Board of Appeals in accordance with Section 13.9 of the Building-Zone Regulations. AMENDED EFFECTIVE MARCH 13, 1989.

3.21 Commercial Radio And Television Towers

Commercial radio, television and other transmitting or relay antenna towers, when permitted, shall be set back from all abutting streets and adjacent property a distance of not less than one and one-half (1 1/2) times the height of the tower.

3.22 Airports

Land beneath all aircraft approach lanes, as established by appropriate aeronautical authorities or airport zoning, which is not part of any airport, shall be so developed as not to endanger safe flight conditions to and from an established airport. This provision is supplemental to any adopted airport zoning plan or ordinance.

3.23 Voting Place

The provisions of these Regulations shall be so construed as not to interfere with the temporary use of any premises as a voting place in connection with a municipal, state or federal election, referendum or primary.

3.24 Approval Of Subdivision Plans

No proposed plan of a new subdivision or resubdivision shall hereafter be approved unless the lots within such plan equal or exceed the minimum area, yards and lot coverage requirements set forth in the various zones of these Regulations, except as may otherwise be specifically provided in Section 6.7 of these Regulations and except that in the case of a subdivision or resubdivision of a parcel of land containing five (5) acres or more, where the slope of the parcel, the topography or other natural features prevent the best subdivision in strict conformity with such lot size requirements, the Town Plan and Zoning Commission may, at its discretion, permit the reduction to not less than eighty (80%) percent of the minimum lot size requirement for such zone or not more than ten (10%) percent of the lots in such subdivision or resubdivision, provided that it shall find that such reduction will have not detrimental effect on the appropriate residential use of the land within the subdivision or on the general character of the surrounding area and will not significantly impair health, safety, general welfare, property values or future land use or road layouts.

3.25 Stream Belt Protection

REPEALED EFFECTIVE APRIL 20, 1989. Refer to Inland/Wetland Regulation.

3.26 Dual Zoned Property: Flood Zone And Other Zone

When a lot of parcel contains land partially designated Flood Zone and partially any other zone listed in Section 1.1 of the Building Zone Regulations (PAD Zone excluded); that area designated Flood Zone may be counted or utilized in order to satisfy the lot area, lot frontage, lot coverage, front yard, side yard, rear yard and open space requirements of the zone where development is to occur. New residential construction on a lot or parcel, which also contains Flood Zone, shall not be permitted within the Flood Zone and shall have the lowest habitable floor elevated to or above the 500 year Flood elevations. (See Section 4.11.6.b). Development (see definition in Section 4.11.2 of the Building Zone Regulations) within Flood Zone areas is permitted only in accordance with Section 4.11 of the Building Zone Regulations. EFFECTIVE OCTOBER 28, 1983.